

REMARKS

Applicant thanks the Examiner for the careful review of this application. Claims 1, 20, 33, 35 and 37 were amended to clarify aspects of the claimed embodiments. No new matter was added. Claims 1-43 are currently pending in this application.

REJECTIONS UNDER 35 U.S.C. § 103(a)

Claims 1-2, 4-6, 8-9, 20-21, 25, 27-28, 33 and 35-36 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Zegelin (U.S. Published Patent Application No. 2005/0185615) in view of Lee (U.S. Published Patent Application No. 2002/0045424). Claims 10-13 and 29-32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Zegelin in view of Lee and further in view of Erskine (U.S. Published Patent Application No. 2004/0166878). Claims 37 and 39-43 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Zegelin in view of Lee and further in view of Molteni (U.S. Published Patent Application No. 2004/0066757). Claims 3, 14-17, 22 and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Zegelin in view of Lee and further in view of well known prior art.). Claims 18 and 19 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Zegelin in view of Lee and further in view of Erskine and well known prior art. Applicant respectfully traverses for the following reasons.

Zegelin apparently discloses a wireless data communications system that has mobile units which become associated with access points. Association between a mobile unit and an access point is changed as mobile units move within an area having a plurality of access points. Selection of an access point for association with a mobile unit is made according to selection criteria including a plurality of selection parameters. The system includes arrangements for determining location of a mobile unit within the area. The selection parameters include location of the mobile unit or direction of movement of the mobile unit when there are a plurality of access points available for association with the mobile unit.

Attny Dkt. No.: 6561/53797	12	10/788,645
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Lee apparently discloses a Bluetooth private network that includes Bluetooth access points, each functioning as a base station in each of Bluetooth piconets, a gateway for functioning as an interface between a public network and the Bluetooth private network, sending a beacon signal to each of the Bluetooth devices in local Bluetooth networks to locate the Bluetooth device and a router for functioning as an interface between each of said Bluetooth access points. The Bluetooth device has a power measuring device therein that measures output power signals of a plurality of Bluetooth access points. When the Bluetooth device is moving from one piconet to another, the Bluetooth device compares the power signals received from two Bluetooth access points and links to the Bluetooth access point with the power signal that exceeds a predetermined level.

Erskine apparently discloses a system for controlling wireless phone usage. The system enables a supervisor to establish user profiles for supervised users of wireless phones across a range of parameters which are stored in a user profile database. Such parameters may include one or more locations at which use of the wireless phone is restricted or permitted. In addition, restrictions on phone use may be provided based upon total phone usage within a specified control period, time periods, dates or days of the week during which phone use is restricted or permitted. One or more lists including numbers that are always-accessible may be provided and one or more lists including numbers that are never-accessible may also be provided. In the event a call does not satisfy predefined criteria, the call is blocked. Predetermined messages may be played to the called or calling party as applicable when a call is blocked. Boolean combinations of restrictions and permissive use criteria for the wireless phone may be specified to provide for flexibility when establishing use criteria for the wireless phone.

Molteni apparently discloses a wireless station having a wireless network device capable of providing a link-layer interface to a wireless network, a method operating at the link layer (L2) in the wireless station, and a carrier medium carrying computer readable code segments that when executed on a processor in the wireless station

implement the method. The method includes, prior to the station being associated with a wireless network, wirelessly receiving L2 frames transmitted from one or more wireless access point of one or more wireless networks that the station can hear. The method further includes gathering information about the received L2 frames, including L2 Information and L3 information. The L3 information includes whether an AP is sending an IP packet from a mobility agent, such that the station may associate with a wireless network that is in communication with the mobility agent. The method further includes storing information about the wireless networks that the station can hear in a database. The information stored about each wireless network includes one or more of an identifier of the wireless network, the L3 information in the L2 frame received from the AP of the wireless network, a time stamp of when the L2 frame was received from the AP, and an indication of the signal strength of the L2 frame from the AP.

The Office Action fails to establish a *prima facie* case of obviousness, as the cited prior art fails to provide a sufficient suggestion or motivation to achieve the allegedly invalidating combinations identified by the Examiner. Aspects of the claimed embodiments are directed to methods for refreshing signal information in a wireless node location mechanism. The methods and apparatuses provide for selectively terminating the connection between the wireless node and the wireless network for purposes of refreshing signal strength information used to compute an estimated location for wireless clients. The selective terminations are done in response to a request to locate the wireless node.

Applicant respectfully submits that even if it were appropriate to combine Zegelin and Lee, the combination fails to achieve the claimed subject matter as neither Zegelin nor Lee disclose terminating a connection between the wireless node and the wireless network in response to a request to estimate the location of the wireless node.

Additionally, and in marked contrast to the claimed embodiments, the teachings of Lee, on which the Examiner relies, are directed to seamless roaming between access

points. Lee teaches that connections are terminated as a result of roaming from one network to another (Lee ¶ 35), or roaming out of range from a Bluetooth access point or falling below a minimum signal level, and not for purposes of refreshing signal strength information used to compute an estimated location of wireless clients. Lee further discloses that, during a handoff event from a previous access point to a new access point, a connection between the device (client) and the previous access point is preferably kept alive concurrently with the new connection between the device (client) and the new access point until a complete handoff is achieved. The connection with the previous access point is dropped when the RSSI falls below a predetermined signal level. This is further expounded on via the following entry from Lee:

[0065] Preferably, in step 238, until the previous Bluetooth access point's RSSI falls below the predetermined level, both the previous and the new Bluetooth access points are in communication with the Bluetooth device until complete handoff is achieved. However, if the previous Bluetooth access point's RSSI falls below the predetermined level, then the communication path between the previous Bluetooth access point is disconnected and the communication with the new Bluetooth access point is achieved in step 240.

-Lee, paragraph [0065]

In addition, the motivation alleged by the Examiner at Page 4 of the Office Action is insufficient to establish a motivation to combine. Specifically, the Examiner fails to establish how one of ordinary skill in the art would be motivated to combine Lee, which merely teaches terminating connections in response to client roaming with wireless node location systems. Since Lee does not teach for connections to be dropped for purposes of refreshing signal information used to compute an estimated location, Applicant respectfully submits that there is therefore no motivation to combine Lee with Zegelin to arrive at the claimed embodiments.

In view of the foregoing, Applicant respectfully requests withdrawal of the rejections of the claims.

Attny Dkt. No.: 6561/53797	15	10/788,645
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ALLOWABLE SUBJECT MATTER

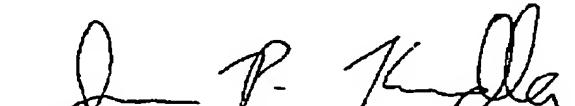
Applicant thanks the Examiner for noting the presence of allowable subject matter in this application, namely claims 7, 26, 34 and 38. Applicant respectfully submits that independent claims 1, 20, 33 and 37 are also in condition for allowance. Since claims 7, 26, 34 and 38 depend directly from claims 1, 20, 33 and 37 respectively, Applicant further respectfully submits that these independent claims do not need to be written into independent form. Withdrawal of the objections of claims 7, 26, 34 and 38 is therefore respectfully requested.

CONCLUSION

Applicant believes that all pending claims are allowable and a Notice of Allowance is respectfully requested. The amendment was made to expedite the prosecution of this application. Applicant respectfully traverses the rejections of the amended claims and reserves the right to re-introduce them and claims of an equivalent scope in a continuation application.

If the Examiner believes that a conference would be of value in expediting the prosecution of this application, he is cordially invited to telephone the undersigned counsel at the number set out below.

Respectfully submitted,
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Attny Dkt. No.: 6561/53797	17	10/788,645
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